



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pat nt Applicati n of Davis-Hoover, et al.

USPN 09/970,643

Filed: October 5, 2001

Title: METHOD FOR REDUCING BIO-AVAILABILITY OF LEAD BY A LEAD-
SEQUESTERING SOIL BACTERIUM

#3
09-
5/8/03

DECLARATION REGARDING DEPOSIT

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

I, Glenna Hendricks, Attorney for Applicant, having a Power of Attorney for purposes of representing the inventors and their assignees, declare that the organism identified in the application as CHL004 has been deposited pursuant to Rule 7.3 of the Budapest Treaty and that the strain has been found to be viable and is the same as that described in the cited application. The deposit was made in the American Type Culture Collection, 10801 University Boulevard, Manassas, Virginia 2011 and has been awarded ATCC designation ATCC No. 55937.

During the pendency of this application access to the deposit will be afforded to the Commissioner upon request. Applicants and assignees agree that all restrictions upon public access to the deposit will be irrevocably removed upon granting of a patent on this application. The deposit will be replaced if viable samples cannot be dispensed by the depository as required, and will be maintained in the public depository for a period of at least thirty years from the date of deposit or for the enforceable life of the patent or for a period of 5 years after the date of the most recent

request for the furnishing of a sample of the deposited biological material, whichever is longest.

4/25/03
Date

Glenna Hendricks
Glenna Hendricks, Reg. No. 32535